

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

MDL No. 2:18-mn-2873-RMG

This Document Relates To All Actions

**JOINT MOTION FOR ENTRY OF PROPOSED
SECOND AMENDED CASE MANAGEMENT 28**

Pursuant to DSC Local Civil Rule 7.01, Co-Lead Counsel for Plaintiffs and Defendants respectfully move this Court to enter the attached proposed Second Amended CMO 28 regarding personal injury cases that do not fall within CMO 26. The motion is based on the following grounds:

1. On December 5, 2023, the Court ordered the Parties to jointly recommend a CMO regarding personal injury cases not addressed by the bellwether program governed by CMO-26 or, in the absence of an agreed proposal, for the PEC and DCC each to submit its own proposal. Dkt. 4149. The parties submitted a proposed CMO 28 by joint motion on March 8, 2024 (Dkt. 4639), and the Court entered CMO 28 on March 13, 2024 (Dkt. 4681).
2. Following entry of CMO 28, the Parties met and conferred regarding certain clarifications to the order, resulting in proposed amendments to CMO 28 that the Parties submitted to the Court on April 4, 2024 (Dkt. 4800). The Court entered Amended CMO 28 on April 9, 2024 (Dkt. 4824).
3. Since the Court entered Amended CMO 28, Co-Lead Counsel have met and conferred regarding the attached additional amendments to CMO 28, which would further clarify CMO 28 in accordance with the Parties' original intent and address certain matters

relating to cases that were pending transfer to the MDL as of April 24, 2024.

WHEREFORE, the Parties respectfully request that the Court enter proposed Second Amended Case Management Order 28, attached as Exhibit A.

Dated: May 14, 2024

Respectfully submitted,

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/s/ Michael A. Olsen

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